

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

Case No. CR06-445-JCC

V.

REGGIE LYNN BASH,

Defendant.

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on September 23, 2011. The defendant appeared pursuant to warrant issued in this case. The United States was represented by Michael Dion and defendant was represented by Kyanna Stephens. Also present was U.S. Probation Officer Sara Moore. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on November 30, 2007, by the Honorable John C. Coughenour for Possession with Intent to Distribute Crack Cocaine. He received 37 months of detention and 3 years supervised release.

Mr. Bash completed his term of custody on July 20, 1009, and his first term of supervised release commenced. In December 2009, Mr. Bash began incurring violations for using cocaine.

1 Subsequently on June 18, 2010, Mr. Bash's supervised release was revoked following nine
2 violations for using cocaine and failing to report. The Court imposed a sentence of four months
3 detention, and reimposed supervised release for a period of 32 months.

4 On September 22, 2010, Mr. Bash was released from custody and his second term of
5 supervised release commenced. On December 7, 2010, the Court modified his conditions of
6 supervised release by placing him on the home confinement program for up to 120 days for the
7 following violations using cocaine, using ecstasy, using alcohol, and using a device, a
8 "Whizinator," to submit a urine specimen. Mr. Bash actively began home confinement on
9 December 17, 2010. However, Mr. Bash again violated his conditions of supervised release by
10 using ecstasy, failing to report to the probation office and using cocaine. On January 21, 2011,
11 Mr. Bash's supervised release was revoked. The Court imposed a sentence of 90 days detention
12 followed by 26 months of supervised release. In addition to the previously ordered conditions,
13 Mr. Bash was ordered to participate in inpatient drug treatment at Olalla Recovery Center.

14 On April 1, 2011, Mr. Bash was released from detention and his third term of supervised
15 release commenced. On April 4, 2011, Mr. Bash entered Olalla Recoery Center and completed
16 their 21 day inpatient treatment program.

17 On June 21, 2011, a violation report requesting no action was submitted to the Court for Mr.
18 Bash's use of alcohol on June 15, 2011. On August 15, 2011, a violation report requesting no
19 action was submitted to the Court for Mr. Bash's use of cocaine on or before July 17, 2011. Mr.
20 Bash was advised at that time that any future violations would result in the issuance of a warrant.

21 Mr. Bash's term of supervised release is scheduled to expire on May 31, 2012.

22 **PRESENTLY ALLEGED VIOLATIONS**

23 In a petition dated September 7, 2011, U.S. Probation Officer Sara K. Moore alleged that

1 || defendant violated the following conditions of supervised release:

2 1. Using alcohol on or before 6/15/2011, in violation of the special condition

3 prohibiting the use of alcohol and other intoxicants.

4 2. Using cocaine on or before 7/17/2011, in violation of standard condition 7.

5 3. Using cocaine on or before 8/28/2011, in violation of standard condition 7.

FINDINGS FOLLOWING EVIDENTIARY HEARING

7 Defendant admitted the above violations, waived any hearing as to whether they occurred,
8 and was informed the matter would be set for a disposition hearing October 7, 2011 at 9:00 a.m.
9 before District Judge John C. Coughenour.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that defendant has violated the conditions of his supervised release as alleged above, and conduct a disposition hearing.

DATED this 23rd day of September, 2011.


BRIAN A. TSUCHIDA
United States Magistrate Judge